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PART-IIA

GOVERNMENT OF MEGHALAYA

POLITICAL DEPARTMENT

ORDERS BY THE GOVERNOR

The 23rd June, 2016.

No.POL.205/2012/144. - In exercise of the powers conferred by section 58 of the Meghalaya Lokayukta Act, 2014 (4 of 2014), read with section 45 of the said Act, the State Government hereby makes the following rules to provide for furnishing of information and annual return containing declaration of assets and liabilities by public servants and to provide for minimum value of the assets which the competent authority may exempt from furnishing such information by a public servant, under section 46 of the said Act, namely,-

1. **Short title and commencement** – (1) These rules may be called the Meghalaya Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2016.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions** – In these rules, unless the context otherwise requires,-

- (a) “Act” means the Meghalaya Lokayukta Act, 2014 (4 of 2014);
- (b) “Appendix” means an Appendix to these Rules;
- (c) “annual return” means the annual return to be filed by a public servant under sub-section (4) of section 45;
- (d) “declaration” means the declaration of assets and liabilities made by a public servant under sub-section (1) of section 45;
- (e) “Form” means a Form specified in Appendix-II;

- (f) "information" means the information required to be furnished by a public servant under sub-section (3) of section 45; and
- (g) "section" means the section of the Act.

3. **Manner of submission of information and annual return** – (1) Every public servant shall make a declaration of his assets and liabilities under sub-section (1) of section 45 in the format specified in Appendix-I, along with the information required under sub-section (2), or as the case may be, sub-section (3), and the annual return under sub-section (4) of section 45 in Forms I to IV specified in Appendix-II.

(2) Every public servant shall file declaration, information or return, as the case may be, regarding his assets and liabilities as on the 31st day of March every year, to the respective competent authority as referred to in sub-sections (1) and (4) of section 45 of the Act, on or before the 31st day of the July of that year.

4. **Minimum value of assets which competent authority may exempt from furnishing of information** – The competent authority may, for reasons to be recorded in writing, exempt in accordance with the proviso to Section 46, a public servant from filing the information in respect of any asset, if the value of such asset does not exceed four months basic pay of the public servant or rupees two lakhs, whichever is higher.

B. KHONGWIR,

Deputy Secretary to the Govt. of Meghalaya,
Political Department.

APPENDIX – I**[Rule 3(1)]****Return of Assets and Liabilities on First Appointment or as on the 31st March,.....**

(Under section 45 of the Meghalaya Lokayukta Act, 2014)

1. Name of the Public servant in full.....
(in block letters)
2. (a) Present public position held
(Designation, name and address
of organization)
- (b) Service to which belongs
(if applicable)

Declaration:

I hereby declare that the return enclosed namely, Forms I to IV are complete, true and correct to the best of my knowledge and belief, in respect of information due to be furnished by me under the provisions of section 45 of The Meghalaya Lokayukta Act, 2014.

Date.....

Signature.....

*In case of first appointment please indicate date of appointment.

.....

Note 1. This return shall contain particulars of all assets and liabilities of the public servant either in his/her own name or in the name of any other person. The return should include details in respect of assets/liabilities of spouse and dependent children as provided in Section 45(2) of The Meghalaya Lokayukta Act, 2014.

(Section 45(2): A public servant shall, within a period of thirty days from the date on which he makes and subscribes an oath or affirmation to enter upon his office, furnish to the competent authority the information relating to :

- (a) the assets of which he, his spouse and his dependent children are, jointly or severally, owners or beneficiaries;
- (b) his liabilities and that of his spouse and his dependent children.)

Note 2. If a public servant is a member of Hindu Undivided Family with co-parcenary rights in the properties of the family either as a 'Karta' or as a member, he should indicate in the return in Form No. III the value of his share in such property and where it is not possible to indicate the exact value of such share, its approximate value. Suitable explanatory notes may be added wherever necessary.

Note 3. "dependent children" means sons and daughters who have no separate means of earning and are wholly dependent on the public servant for their livelihood. (Explanation below Section 45(6) of The Meghalaya Lokayukta Act, 2014)

APPENDIX – II
[Rule 3(1)]

FORM No. I

Details of Public Servants, his/her spouse and dependent children

Sl. No.		Name	Public Position held, if any	Whether return being filed by him/her, separately
1	Self			
2	Spouse			
3	Dependent-1			
4	Dependent-2			
5*	Dependent-3			

*Add more rows, if necessary.

Date.....

Signature.....

“FORM No. II

[See Rule 3(1)]

Statement of movable property on first appointment or as on the 31st March, 20....

(Use separate sheets for self, spouse and each dependent child.)

Name of public servant/ spouse / dependent child: _____

Sl. No.	Description	Remarks, if any
(i)*	Cash and bank balance:	
(ii)**	Insurance (premium paid):	
	Fixed /Recurring Deposit(s):	
	Shares/Bonds:	
	Mutual Funds(s):	
	Pension Scheme/Provident Fund:	
	Other investments, if any:	
(iii)	Personal loans/advance given to any person or entity including firm, company, trust, etc. and other receivables from debtors and the amount (exceeding two months basic pay or Rupees one lakh, as the case may be):	
(iv)	Motor Vehicles (Details of Make, registration Number, year of purchase and amount paid):	
(v)	Jewellery [Give details of approximate weight (plus or minus 10 gms. in respect of gold and precious stones; plus or minus 100gms. in respect of silver).] Gold: Silver: Precious metals and precious stones: Composite items: (indicate approximate value)***	
(vi)	Any other assets [Give details of movable assets not covered in (i) to (v) above] (a) Furniture (b) Fixtures (c) Antiques (d) Paintings (e) Electronic equipments (f) Others [Indicate the details of an asset, only if the total current value of any particular assets in any particular category (e.g. furniture, fixtures, electronic equipments, etc.) exceeds two months' basic pay or Rs. 1.00 lakh, as the case may be.]	

Date.....

Signature.....

*Details of deposits in the foreign Bank(s) to be given separately.

**Investments above Rs. 2 lakhs to be reported individually. Investments below Rs. 2 lakhs may be reported together.

***Value indicated in the first return need not be revised in subsequent returns as long as no new composite item had been acquired or no existing items had been disposed of, during the relevant year.”;

FORM No. III

[Rule 3(1)]

Statement of immovable property on first appointment or as on the 31st March, 20....

(e.g. Lands, House, Shops, Other Buildings, etc.)

[Held by Public Servant, his/her spouse and dependent children]

Sl. No.	Description of property (Land/ House/ Flat/ Shop/ Industrial etc.)	Precise location (Name of District, Division, Taluk and Village in which the property is situated and also its distinctive number, etc.)	Area of land (in case of land and buildings)	Nature of land in case of landed property	Extent of interest	If not in name of public servant, state in whose name held and his/her relationship, if any to the public servant.	Date of acquisition	How acquired (whether by purchase, mortgage, lease, inheritance, gift or otherwise) and name with details of person/persons from whom acquired (address and connection of the Government servant, if any, with the person/persons concerned) (Please see Note 1 below) and cost of acquisition.	Present value of the property (If exact value not known, approx. value may be indicated).	Total annual income from the property.	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

Date.....

Signature.....

Note (1) For purpose of Column 9, the term "lease" would mean a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent. Where, however, the lease of immovable property is obtained from a person having official dealings with the Government servant, such a lease should be shown in this Column irrespective of the term of the lease, whether it is short term of long term, and the periodicity of the payment of rent.

“FORM No. IV

[See Rule 3(1)]

Statement of Debts and Other Liabilities on first appointment or as on the 31st March, 20....

Sl. No.	Debtor (Self/ Spouse or dependent children)	Name and address of Creditor	Nature of debt/ liability and amount	Remarks
1	2	3	4	5

Date.....

Signature.....

Note 1: Individual items of loans not exceeding two months basic pay (where applicable) and Rs 1.00 lakh in other cases need not be included.

Note 2. The statement should include various loans and advances (exceeding the value in Note 1) taken from banks, companies, financial institutions, Central/State Government and from individuals.”.